

First Selectman

STATE OF CONNECTICUT • COUNTY OF TOLLAND INCORPORATED 1786

TOWN OF ELLINGTON

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PETER J. CHARTER
Deputy First Selectman

LAURIE E. BURSTEIN ANN L. HARFORD A. LEO MILLER, JR. JAMES M. PRICHARD JOHN W. TURNER

BOARD OF SELECTMEN February 23, 2009

SELECTMEN PRESENT:

Town Hall - Meeting Hall

Laurie Burstein, Peter Charter, Ann Harford, A. Leo Miller,

James Prichard [arrived at 7:53 p.m.], Michael Stupinski

and Jack Turner

OTHERS PRESENT:

Nicholas DiCorleto, Finance Officer; Peter Michaud, DPW Director; Robert Phillips, Town Planner; Sgt. William Konieczny, Resident State Troopers' Office; Atherton B. Ryan, Town Attorney; Jim Thompson, Town Engineer; Paul Potamianos, Budget Advisory Committee Member; Al Lawrence, Mr. and Mrs. C. Miller; Michael J. Burns, Ray

Halle, Mike Gallo, Mike Grosso

Call to Order:

First Selectman Stupinski called the meeting of the Board of Selectmen (BOS) to order at 7:45 p.m.

2. Citizens' Forum: No one came forward.

Mr. Stupinski proposed that agenda Item #4 be addressed next, to allow additional time for Mr. Prichard to return from the Planning and Zoning Commission meeting.

Computer Service and Maintenance Agreement:

Mr. Stupinski referenced a memo he received from Mr. DiCorleto regarding the status of the Town's Computer Service Maintenance Agreement with The Computer Company, Inc. Mr. DiCorleto recommended to the BOS that the third year of the three-year renewable contract with The Computer Company, Inc. be approved. Mr. Miller asked for clarification regarding the time-frame of this contract. Mr. DiCorleto responded that this renewal would cover the period March 2009 through March 2010. Ms. Harford added that the topic of computer service maintenance has been discussed at Shared Services meetings, and the approval of this contract will provide the time needed to consider adding this function to the Board of Education's IT Department.

MOVED (CHARTER) SECONDED (MILLER) AND PASSED UNANIMOUSLY BY THOSE PRESENT, TO RENEW THE CONTRACT FOR THE TOWN'S COMPUTER SERVICE AND MAINTENANCE WITH THE COMPUTER COMPANY, INC. FOR AN ADDITIONAL YEAR TO MARCH 31, 2010.

A short recess was taken at this time to await Mr. Prichard's arrival.

The meeting resumed at 7:54 p.m.

3. Detention Basin Maintenance:

Attorney Ryan reviewed the history of the existing detention basins and the various maintenance agreements that they fall under. Attorney Ryan stressed the importance of clearly setting a policy regarding how detention basins will be handled from this time forward. He noted that since the Town began capitalizing the cost of maintenance, to date. \$221,000 has been voluntarily paid into a fund by 10 different developers. Following the February Town Meeting, there has been a written demand from one developer for the return of the money that was put into this fund. Attorney Ryan said that the developer believes that the Town agreed to maintain the basins at that meeting. which is not accurate. Attorney Ryan stated that it is important to be clear on whether or not the policies that have been in place will remain in place; 1) homeowner is required to maintain detention basin, 2) homeowners create a homeowner's association or 3) developer provides capitalization funds to the Town for the cost of maintenance and DPW provides maintenance. Attorney Ryan said that one question that has to be addressed is who is going to maintain the basins. Mr. Charter asked if the Town does monitor the basins, does this fulfill the Town's responsibility as it relates to the DEP Phase II of the Storm Water Act. Attorney Ryan said that it does. Mr. Turner asked if this holds true also for the commercial and industrial basins that are supposed to be maintained by those entities. Attorney Ryan said that it does. Mr. Turner asked if the Town offers three options to the developers, does this lessen the challenge of an impact fee. Attorney Ryan stated that it does because the option is voluntary. Mr. Charter asked if the Town does take over the maintenance, will the funds that have been collected from the developers be returned. Attorney Ryan stated that, in that case, he would recommend that the funds be returned. Mr. Stupinski added that returning the money is not a fiscal loss to the Town, because that money is in the fund for the specific purpose of maintaining the basins. Mr. Thompson noted that it is important to consider liability issues and any financial impact that would be incurred to insure the detention basins. Mr. Miller said that he looks at the detention basins as the classic attractive nuisance and is concerned with the liability of someone getting injured. Mr. Thompson noted that all basin designs are on a 3 to 1 slope, with no more than a foot of water on the bottom. Mr. Turner asked if the detention basins need to be approved by the DEP; and once they are in place, what is to stop someone from altering the basin to a nonapproved state. Mr. Thompson said that he would monitor the detention basin during construction, and if he had any concerns, he would refer the developer to the DEP for approval. Mr. Miller asked Robert Philips for his opinion on the question of impact fees. Mr. Phillips stated that he agrees with Attorney Ryan, that offering the developers choices makes the current policy sufficient; and that a clear and transparent policy is needed. He also added that he believes that the Town is in the best position to maintain the detention basins.

MOVED (CHARTER) SECONDED (HARFORD) AND PASSED UNANIMOUSLY, TO CONTINUE TO FOLLOW THE PRESENT DETENTION BASINS MAINTENANCE POLICY, ITEM C, 1 THROUGH 3, AS WRITTEN. (Attached)

Mike Gallo asked if homeowners have the option of pursuing policy item #1.3 on their own. Attorney Ryan stated that he did not see any reason why they would not be able to, if they choose.

5. 2009-2010 Budget:

The BOS reviewed the proposed 2009-2010 Budget and made the following comments:

Mr. Turner stated that he has reviewed the proposed budget thoroughly and he does not see any places to make cuts, except possibly salaries. Mr. Stupinski agreed that there are very few options for making cuts and he had no recommendations. Mr. Turner commended the Department Heads, who he said did a very good job in minimizing the impact. Discussion was held regarding obligations and options for reducing salary accounts. Mr. Stupinski explained several options and outlined the Town's obligations as they relate to union contracts, seniority, department size, overtime and other salary-related issues. No proposals were made.

Line 1060 – Building Demolitions/Evictions: Mr. Turner asked Mr. Michaud if this account needs to carry \$20,000 since only \$1,500 was spent this year. Mr. Michaud said that he left the \$20,000 in that line item because there are three properties that need to be cleaned up. Mr. Stupinski noted that Mr. Michaud needs to have that money in the fund based on the upcoming projects, but sometimes projects are delayed for one reason or another.

Line 795 – Senior Center: Ms. Harford asked for clarification regarding the increase in the cost for the Senior Center. Discussion was held and Mr. DiCorleto noted that most of the increase is for van driver services, for which there is an increased demand, with other transportation companies cutting their services.

Mr. Stupinski noted that he will make a recommendation that beginning next budget year the backup sheets include comparative detail from year to year.

Line 950 – Insurance (Line 5151 Anthem BC/BS): Mr. Miller expressed concerns regarding the cost of insurance for Town Employees. He suggested that the budget could withstand a decrease of \$103,547. Mr. DiCorleto noted that the budgeted amount allows for a 20% increase in premiums, as well as potential changes in employee status, and he did not recommend reducing this account. Mr. Charter added that in prior years, any surplus in this account has been transferred to different areas of need; therefore, he is in favor of budgeting high, on the conservative side. Mr. Charter stated that the Finance Director has proven that there is a need to have contingencies built into this account. Mr. Miller said that he will support \$1,000,000, but he will not support \$1,103,547.

MOVED (MILLER), SECONDED (BURSTEIN) AND FAILED [AYE: MILLER/BURSTEIN; NAY: CHARTER/TURNER/HARFORD/PRICHARD], TO REDUCE THE BUDGET BY \$103,547 TO REFLECT A REDUCTION IN SUBLINE #5151 OF LINE #950.

MOVED (CHARTER), SECONDED (HARFORD) AND PASSED [AYE: PRICHARD/ CHARTER/ HARFORD/TURNER/BURSTEIN; NAY: MILLER], TO RECOMMEND TO THE BOARD OF FINANCE THE BOARD OF SELECTMEN APPROVED TOWN BUDGET FOR FISCAL YEAR 2009-2010, A GRAND TOTAL AMOUNT OF \$13,249,145. (BUDGET TABLE ATTACHED)

6. Adjournment:

MOVED (CHARTER), SECONDED (HARFORD) AND PASSED UNANIMOUSLY, TO ADJOURN THE MEETING OF THE BOARD OF SELECTMEN AT 9:10 P.M.

Approved by

Submitted by

LouAnn Cannella

Michael P. Stupinski

DETENTION BASIN MAINTENANCE

A. DEFINED:

- 1. Man-made low area to contain drainage from a property
- 2. Controls outflow to obtain zero increase in rate of discharge
- 3. Permits settling of silt and solids to discharge cleaner water

B. REQUIRES MAINTENANCE

- 1. Requires periodic maintenance to remove silt, leaves and debris
- 2. May require repairs to structure, earth banking or pipes
- 3. Failure to maintain will result in claims by downstream owners of excess flow and damage and will violate the Town's General Permit by which the Town is responsible to implement training, maintenance and control of all discharges to comply with the Clean Water Act.

C. PAST POLICY

- 1. Developer given choice
 - 1.1 Put basin on a lot and require lot owner to maintain
 - 1.2 Create a homeowners' association to maintain
 - 1.3 Capitalize the cost of maintenance and deposit with Town and DPW will provide maintenance
- 2. In all cases Town took an easement to permit inspections and maintenance in the event designated person did not
- 3. Easement provided that Town could claim cost of maintenance from person responsible collection would be an issue

D. DRAFT ORDINANCE - FAILED

E. PRESENT POLICY TO BE DETERMINED

- 1. Reinstate past policy
 - 1.1 Finance Officer has fund for 10 subdivisions
 - 1.2 Total capitalized cost = \$221,078.71
 - 1.3 Total income = \$10,261.21
 - 1.4 Fund balance = \$231,339.92
- 2. Decide that Town should take over all basins as part of road system
 - 2.1 Cost of maintenance would become part of DPW budget
 - 2.2 Easements for maintenance would be same but no recapture of costs
 - 2.3 Should existing deposits be returned to developers?
- 3. Decide if basins on commercial, industrial and residential condominium projects to remain the responsibility of the Owners?

6,000 26,090% (62,693) -40,790% 3,000 3,470% (15,000) -18,750% BUDSEL10,XLS/BUDSEL09-10/NJD/2/20/2009/3/1 3,077 1,500% (2,076) -0.880% 17,183 7,580% 12,211 9,170% 12,994 6,670% (40,716) -39,200% (889) -10,466% 12,163 5,570% 0.000% 1.050% 7.510% 16,092 6.170% 151,198 6.710% (27,000) -5.760% 92,514 20.130% 3.830% 14.620 13,947 1,772 (2,456) 7,039 2,620 5,822 3,250 0 53,511 1,597 6,011 (B)-(A)
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 (OVER)
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 REQUEST
 INCREASES
 RECOMMEND Amount
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332 EMERGENCY 911
330 POLICE
331 POLICE SPECIAL DUTY
333 POLICE SPECIAL DUTY
339 POLICE ORUG AWARE(DARE)
340 ANIMAL CONTROL OFFICER
350 EMERGENCY MANAGEMENT
350 EMERGENCY MANAGEMENT
375 EMERGY SERV INCENT PRGM(ESIP)
376 ADHOC EMERGENCY SERVICES CON
391 FIRE MARSHAL 430 STREET SIGNS
435 GROUNDS MAINTENANCE-BOE/PR
439 TOWN ROAD AID-WINTER
440 TOWN ROAD AID-MAINT
SUB-TOTAL
450 SANITARY LANDFILL
451 MUN-SOLID/BULKY WASTE/CURB
455 SANITARY LANDFILL
451 MUN-SOLID/BULKY WASTE
456 WYPCA MAINTENANCE
470 STREET LIGHTING
430 ENGINEER & INSPECTIONS 410 GENERAL TOWN ROADS 415 NEW EQUIPMENT 420 EQUIP. MAINT. 425 TOWN GARAGE MAINTENANCE GENERAL GOVERNARENT
110 BOARD OF SELECTMEN
130 FINANCE OFFICER
131 TAX ASSESSOR
132 TAX COLLECTOR
140 TOWN CLERK
150 TOWN CLUSEL
155 PROBATE COURT
170 TOWN PLANNER
170 TOWN PLANNER
170 TOWN PLANNER DESCRIPTION PUBLIC SAFETY PUBLIC WORKS TOTAL BUDSEL09-10

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				25,1900	50,'50	691,627	(7,330)	241,647	0	241,647	19,808	8.930%
TOWN PROPERTIES												
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1030 MEMORIAL DAY COMM	1,646	1,700	, c	1 700	0	0 001	0	5,000		2,000	2,000	
1035 CHARTER REVISION COMM	3,756	0	0	3	> 0	3,	В	1,700	0	1,700	0	0.000%
1040 MISCELLANEOUS	1,920	2,000	0	2 000	2 384	0 608	0 000	0	0	0	0	#DIV/OI
1045 GASB-OPEB	0	0	0	0	5 C	2,030	(080)	2,000	0	2,000	0	0.000%
1050 REFERENDUM/PRIMARIES	8,779	25,000	0	25,000	4 933	25,000	9	000	0	0	0	#DIV/Oi
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	5	010,112	0	211,010	18,523	212,896	(1,886)	184,160	0	184,160	(26,850)	-12 720%
GRAND TOTAL	12,087,882	12,750,525	50,000	12,800,525 4,799,262	4,799,262	12,949,335	(148.810)	(148.810) 13.249 145		12 240 445	440 000	10000
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451 MIN-SOLID/BLILKY WASTERCING	010007											
TOOLS WAS LOOKED	488,379	429,660	0	459,660	182,232	459,660	0	552,174	0	552,174	92,514	20,130%
LESS DEBT (prin∫)												
Hockanum Sewer Dedt	104.380	99.435	c	00 425	1	200						
Cryrstal Lake Debt	187,500	242.532	c	242 539	27 540	33,430	0	٥		0	(99,435)	(99,435) -100.000%
Airport Sewer Debt	75,000	148.469	0	448 460	010,12	266,242	0	233,438		233,438	(9,094)	-3.750%
Total Debt	366 880	490 436	,	100,400	90,734	148,469	0	144,532		144,532	(3,937)	-2.650%
		201		480,430	04,250	490,436	0	377,970	0	377,970	(112,466)	-22.930%
Total deductions (Mun-Solid and Debt	866,259	950'036	0	960,036	246,482	950.096	c	930 144	c	***************************************		
					-		, 	111	2	930,144	(18,952)	-2.100%
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FIRST SELECTMAN'S SALARY	70,000	75,000	0	75,000	37,500	75.000		75,000		400		
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